

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

TOMMY THOMPSON

PLAINTIFF

V.

CIVIL ACTION NO. 2:17-cv-2067-MEF

NANCY A. BERRYHILL, Acting  
Commissioner Social Security Administration

DEFENDANT

**FINAL JUDGMENT**

This cause is before the Court on the Plaintiff's complaint for judicial review of an unfavorable final decision of the Commissioner of the Social Security Administration denying his claim for disability benefits. The parties have consented to entry of final judgment by the United States Magistrate Judge under the provisions of 28 U.S.C. § 636(c). The Court, having reviewed the administrative record, the briefs of the parties, the applicable law, and the parties having waived oral argument, finds as follows, to-wit:

Consistent with the Court's ruling from the bench, the decision of the Commissioner of Social Security is reversed and remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

The Court does not find substantial evidence to support the onset date determined by the ALJ. The ALJ concluded that the Plaintiff became disabled on August 1, 2015, at which time his RFC changed from light work with postural limitations to sedentary work. The record, however, shows no change in the Plaintiff's medical condition, physical abilities, or age that would account for the August 1, 2015 onset date.

On remand, the ALJ is directed to reconsider the medical source statement completed by Nurse Practitioner, Jonathan Broniste, and Dr. Robert Saunders, who work together at the Lavaca

Wellness Clinic, along with the medical records from their clinic dating back to at least May 2015. The ALJ is also directed to consider the letter written by Nurse Practitioner Broniste in June 2016, voicing his belief that the Plaintiff's disabling impairments were present as far back as 2013.

Additionally, in February 2015, Dr. Clifford Evans conducted a physical examination of the Plaintiff, finding a significantly decreased range of motion in the lumbar spine, muscle spasms in the lower back and legs, an "ok " gait with a forward tilt, and an inability to walk on heels and toes or squat and arise from a squatting position. He then opined the Plaintiff would have "moderate to severe limitations to the body as a whole." Dr. Evans did not, however, explain the functional impact of the phrase "moderate to severe limitations to the body as a whole." Accordingly, on remand, the ALJ is further ordered to recontact Dr. Evans for clarification of his assessment.

IT IS SO ORDERED AND ADJUDGED on this the 26th day of February, 2018.

/s/ Mark E. Ford  
HON. MARK E. FORD  
UNITED STATES MAGISTRATE JUDGE